



The United States Attorney's Office

District of Colorado

June 4, 2008

GRAND JUNCTION MAN RE-SENTENCED FOR DUMPING CHEMICALS INTO THE COLORADO RIVER

DENVER – David Enriquez Ortiz, age 49, of Grand Junction, Colorado, was re-sentenced Friday, May 30, 2008, by U.S. District Court Judge Richard P. Matsch to serve 24 months (2 years) in federal prison for dumping industrial waste water containing propylene glycol into the Colorado River. Ortiz was also ordered to pay a \$2,000 fine. Ortiz was remanded into custody and will start serving his sentence immediately.

Ortiz was originally indicted by a federal grand jury in 2003. A jury later found Ortiz guilty of knowingly and negligently discharging pollutants into the Colorado River in violation of the Clean Water Act. Judge Matsch had originally sentenced Ortiz to serve 12 months in federal prison and pay a \$2,000 fine. Ortiz appealed the conviction, which was ultimately dismissed because he fled from authorities. The U.S. Attorney's Office filed a cross-appeal of Ortiz's sentence, and later prevailed in its appeal, so that the 10th Circuit Court of Appeals ordered Judge Matsch to re-sentence Ortiz. Ortiz was eventually apprehended. The re-sentencing took place Friday.

According to court documents, Ortiz was the operator for Chemical Specialties, located at 714 South 5th Street in Grand Junction, Colorado. Chemical Specialties distills propylene glycol, an airplane de-icing chemical, used at several regional airports.

Ortiz was responsible for the daily distillation of the de-icing chemical. On May 29, 2002, and on June 18, 2002, Ortiz dumped industrial waste water containing propylene glycol into a storm sewer, which drained to the Colorado River. The discharged pollutants killed a substantial number of fish, and resulted in an emergency environmental cleanup response.

"Wildlife was hurt and people put in danger because of the defendant's wrongdoing," U.S. Attorney Troy Eid said.

"The defendant's illegal discharges killed fish and risked harming people who came in contact with the waste," said Lori Hanson, Special Agent in Charge of the EPA's Criminal Enforcement Office in Denver. "Those who harm the environment and threaten the public welfare will be prosecuted."

The case was investigated by the Environmental Protection Agency Criminal Investigation Division (EPA-CID). The case was prosecuted by Patricia Davies, Assistant United States Attorney.

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